
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Office of Land Quality
Notice of Receipt of Mercury Minimization Plan and Request for Public Comments

Introduction

In its 2006 regular session, the General Assembly adopted House Enrolled Act 1110 (P.L.170-2006) to require mercury switches to be removed from end of life vehicles and to provide procedures and incentives for removing those switches. A key part of that legislation is the requirement for motor vehicle manufacturers to prepare and submit plans to remove and properly dispose of mercury switches. The Indiana Department of Environmental Management (IDEM) has received a Mercury Minimization Plan from End of Life Vehicle Solutions Corporation (ELVS) as required by the statute. [IC 13-20-17.7-3](#), enacted as part of HEA 1110, requires the commissioner to publish a notice that provides the public an opportunity to comment on the plan.

IDEM is currently developing a rule to implement the mercury switch removal program in Indiana and provide monetary incentives for removal of mercury switches. More information on that rulemaking (New Rules at [329 IAC 11.5](#) Concerning Mercury Switches, LSA Document #05-250) is available at <http://www.IN.gov/idem/rules/>.

ELVS Mercury Minimization Plan

"The Mercury Minimization Plan presented here represents the efforts of the End of Life Vehicle Solutions Corporation (ELVS) to satisfy the requirements of the Indiana House Enrolled Act 1110-2006 (Public Law 170-2006, the "Act"), requiring the removal of mercury switches from end of life vehicles. Members of the End of Life Vehicle Solutions Corporation are BMW of North America, LLC; DaimlerChrysler Corporation; Ford Motor Company; General Motors Corporation; International Truck & Engine; Mack Trucks, Inc.; Mitsubishi Motors North America, Inc.; Nissan North America, Inc.; Subaru of America, Inc.; Volkswagen of America, Inc.; and Volvo Trucks North America.

Section 15 ([IC 13-20-17.7](#)) of the Act requires automobile manufacturers to submit a mercury-added vehicle switch recovery program to the commissioner of IDEM for review and approval not later than October 1, 2006. ELVS' mercury switch recovery program is as follows:

The term "mercury switch" for the purposes of this collection plan includes both convenience light and ABS switches/assemblies, although the removal and recycling of ABS switches are not included in the Act.

The specific requirements detailed in Chapter 17.7, Sec. 1 through 3 of the Act will be met through the following plan components:

1. Education Program: ELVS' program is a multimedia approach for education and training of the safe and environmentally sound removal of mercury switches from end of life vehicles. The following education and training materials, which include information on mercury hazards and handling, are included with the shipment of collection buckets to vehicle recyclers and scrap recycling facilities:
 - a. A cover letter introducing the program and welcoming recyclers and scrap facilities to the program.
 - b. A brochure that identifies why mercury switches should be removed, where they can be found in automobiles, how to properly collect and manage them, and how to contact the administrators (ELVS contractor or ELVS program manager) of the program should questions arise.
 - c. A DVD that provides an overview of automotive mercury collection and methods of how to safely remove and store mercury switches.
 - d. A Web site link (www.elvsolutions.org) that provides an overview and the specifics of the Indiana program and links to other related sites, including links to the Act and rulemaking that allows participants to review these documents.
 - e. Detailed instructions for shipping the collection containers for recycling of the switches.
 - f. A list of vehicles that may contain mercury convenience light switches and a list of ABS G-force sensors including removal instructions.
 - g. Additionally, ELVS will make these materials available to IDEM for use in any education or outreach programs they may conduct.
 - h. Information on what action to take if there is a mercury spill, to be supplied by IDEM.
2. Collection and Storage: Upon receipt of a list of Indiana vehicle recyclers and scrap recycling facilities identified by the department, collection buckets, along with education and training materials will be promptly sent to all facilities on the list. Mercury switches will be stored at the vehicle recyclers and scrap recycling facilities as universal waste. Universal waste rules include the proper labeling, on-site retention period (1 year maximum), mercury quantity limits (equal to 450 mercury switch pellets), and no hazardous waste or free mercury in the containers. Each container will include a universal waste label. The vehicle recycler or scrap recycling facility is to indicate on the label the date when the first mercury switch is placed in the container ("start date"). Specific instruction will indicate that containers may not be stored on or used at the location beyond one year from the start date indicated by the vehicle recycler or scrap recycling facility. Mercury switches will be stored and shipped in a 3.5 gallon container (other container sizes may be used as well) with a sufficiently tight, sealable lid. The containers are designed to meet the shipping requirements of the

Department of Transportation (DOT), the contracted recycler, and the carrier selected to transport mercury switches to the recycling facility. ELVS will provide these storage containers at no cost to the program participants.

3. Transportation: A recycler whose container is nearly full of mercury switch assemblies or has close to the 450 maximum number of mercury switches or who has a container that is about to expire under the one year retention period for universal waste rules will notify the ELVS contractor to receive a replacement container. The ELVS contractor will ship an empty container to the recycler as well as provide for the transportation of the full container. Shipping instructions will be included with each container. The ELVS contractor will comply with RCRA requirements for managing shipments of mercury switches.

4. Recycling: All mercury switches will be recycled by a qualified retorter or when recycling is not feasible for the proper disposal at a permitted disposal facility.

5. Program Progress and Performance: ELVS will track the following performance measures:

- a. The number of participating vehicle recyclers and scrap recycling facilities, including their contact information.
- b. When collection containers are received at the ELVS contractor by each participant.
- c. The number of mercury switches submitted by each participant.
- d. The total number of mercury switches collected in Indiana.
- e. The amount of mercury recovered.
- f. The above information will be available via a Web site. This information may be helpful in the development of the IDEM's annual report.

6. Procedures for Implementing the Plan:

- a. Submit the mercury minimization plan to IDEM.
- b. Receive the list of vehicle recyclers and scrap recycling facilities from IDEM.
- c. IDEM to send letter to recyclers to make them aware of the program and that they will receive collection containers in the mail.
- d. Ship the collection containers and educational materials within 30 days of the approval of the plan.

Additional Elements of the Plan:

- The ELVS designated waste manager will maintain all appropriate records. These records will be maintained in a database and made available to the agency upon request.
- As additional vehicle and scrap recyclers are identified throughout program implementation, a collection bucket and educational materials will be sent to them as well. Recyclers can also self-elect participation through the Web site or by contacting our contractor.
- Education materials are available to download and print from the ELVS Web site in addition to their inclusion in the first bucket.
- ELVS' present contractor for this program is the Environmental Quality Company (EQ). The point of contact for Indiana Recyclers is Julie Zaborowski ((743) 547-2511). ELVS' program manager can be contacted at 1-877-225-ELVS."

Request for Public Comments on the Plan

This notice solicits the submission of comments on the ELVS mercury minimization plan. Mailed comments should be addressed to:

#05-250(SWMB) [Mercury Minimization Plan]
Marjorie Samuel
Office of Land Quality
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

Hand delivered comments will be accepted by the receptionist on duty at the eleventh floor reception desk, Office of Land Quality, 100 North Senate Avenue, Eleventh Floor East, Indianapolis, Indiana.

Comments may be submitted by facsimile at the IDEM fax number: (317) 232-3403, Monday through Friday, between 8:15 a.m. and 4:45 p.m. Please confirm the timely receipt of faxed comments by calling the Rules, Planning and Outreach Section at (317) 232-1655 or (317) 232-7995. All comments received will be carefully considered during the approval and implementation of this plan. However, IDEM will not respond formally to these comments.

Comment Period Deadline

Comments must be postmarked, faxed, or hand delivered by December 8, 2006.

Additional information regarding this action may be obtained from Steve Mojonier of the Rules, Planning and Outreach Section, Office of Land Quality, (317) 233-1655 or call (800) 451-6027 (in Indiana), press zero (0), and ask for extension 3-1655.

Posted: 11/08/2006 by Legislative Services Agency
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